

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:)
) CHAPTER 11
MOTORS LIQUIDATION COMPANY, *et al.*,)
f/k/a General Motors Corp., *et al.*,) Case No. 09-50026 (MG)
)
Debtors.) (Jointly Administered)
)
_____)

ORDER

This matter is before the Court on Movants Marlos L. Chenault and Shayrika L. Chenault's Motion for Determination of Applicability of Automatic Stay.

Having reviewed the arguments and briefs of the parties, the Court finds as follows:

1. In *Chenault v. Continental AG, et al.*, No. 12EV016009J, State Court of Fulton County, Georgia, Plaintiffs allege that they were injured in a collision on January 29, 2011, in part as a result of alleged product defects in a 2005 GMC Envoy Denali manufactured by General Motors Corporation.

2. General Motors LLC (formerly known as General Motors Company) has purchased substantially all of the assets of General Motors Corporation. As part of the sale, General Motors LLC agreed to assume liability for all products-liability claims arising on or after July 10, 2009 regarding products manufactured by General Motors Corporation prior to July 10, 2009.

3. Any claims Plaintiffs may have that arose on or after July 10, 2009 regarding the Subject Vehicle or any other product manufactured by General Motors Corporation prior to July 10, 2009, including but not limited to any claims allegedly arising from the January 29, 2011 collision, survive the sale of General Motors Corporation's assets to General Motors LLC and are not barred. To the extent liability exists for such claims, such liability would be on the part of General Motors LLC, not General Motors Corporation.

4. The automatic stay arising from *In re: Motors Liquidation Company*, No. 09-50026 (S.D.N.Y.), does not apply to the Fulton County action or any other claims against General Motors LLC.

IT IS SO ORDERED.

The Hon. Martin Glenn
United States Bankruptcy Judge